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COMMITTEE REPORT

SENATE

FURTHER: Finance

3/11/81

Date: _____

Mr. President:

The Committee on RESOURCES has had SB 267 making a supplemental appropriation to Dept. of Fish & Game for Tsirku River crib dam

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 267 same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]
CHAIRMAN

Alaska State Legislature

BETTYE FAHRENKAMP, CHAIRMAN
VIC FISCHER, VICE-CHAIRMAN
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISG STURGULEWSKI



POUCH V
STATE CAPITOL
SITKA, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

April 13, 1981
1:30 p.m.

Beltz Room
Room 211 - Capitol

MEMBERS PRESENT

Senator Fahrenkamp
Senator Fischer
Senator Bradley
Senator Sturgulewski
Senator Mulcahy
Senator Gilman

HEARING:

SB 164 An Act making a special appropriation to the Department of Natural Resources for completion of the analysis of certain geochemical samples.

CSSB 267 An Act making a supplemental appropriation to the Department of Fish and Game for the Tsirku River crib dam and for implementation of the Alaska National Interest Lands Conservation Act.

Phil Holdsworth, Alaska Miners Association, stated that SB 164 provides the funds for the Los Alamos Lab to complete the analysis of the geological samples they collected in Alaska. There is no laboratory in the state as sophisticated as the Los Alamos Laboratory. It is very worthwhile to get the analysis of the samples completed.

Senator Gilman put forth the motion to move SB 164, with the letter of intent, with individual recommendations.

Jim Wickes, Section Chief, Resources and Development, Department of Natural Resources, stated that certain portions of the implementation process of the Alaska National Interest Lands Conservation Act have specific time deadlines. The supplemental appropriation of \$379,300, contained in CSSB 267, is to accomplish: 1) Chugach Study; 2) Bristol Bay Study; 3) North Slope Oil and Gas study; 4) Native allotment review; 5) ANSCA land review; 6) Navigability/ submerged land defense; and, 7) Map production/land status.

SENATE RESOURCES COMMITTEE

April 13, 1981

Page: 2

Bob Roys, Director, Division of Fisheries Rehabilitation, Enhancement and Development, Department of Fish and Game, stated that the supplemental appropriation contained in CSSB 267 is to repay the Governor's contingency fund, for money spent on the emergency construction of a crib dam on the Tsirku River outside of Haines. The old dike broke last summer and a new dam was built to protect the Chilkat lake.

Senator Mulcahy put forth the motion to move CSSB 267 with individual recommendations.

The Committee was adjourned at 2:05 p.m.

06267

March 10, 1981

The Honorable Jalmar Kerttula
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill which would make a supplemental appropriation to the Department of Fish and Game, division of fisheries rehabilitation, enhancement, and development (F.R.E.D.).

Last fall the Tsirku River, near Haines, eroded through an old channel, routing heavily silt-laden water into the rich spawning beds of Chilkat Lake. Continued silt deposit would seriously threaten salmon production in the lake. In the past this area has annually produced an average of 160,000 sockeye and 10,000 to 20,000 coho in addition to cutthroat trout and char. A crib dam, using all local materials, would preserve this salmon spawning area.

Construction of the dam needed to be complete by April 1 before spring melting produced high water on the river. If the project were delayed until next fall, when weather conditions produced lower water levels again, the new channel could be so well established that an engineering solution would be much costlier. By that time the silt deposits would also have seriously damaged the spawning habitat.

I recently authorized the use of \$100,000 from the governor's contingency fund by the Department of Fish and Game, F.R.E.D. division, for construction of the crib dam on the Tsirku River. The use of contingency fund money was necessary because of the crucial time factor in constructing this project. This appropriation would be used to reimburse the contingency fund.

Sincerely,

S/SSH

Jay S. Hammond
Governor

MEMORANDUM

State of Alaska

TO: Jerry Reinwand
Executive Assistant
Office of the Governor

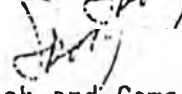
DATE: February 9, 1981

FILE NO:

RECEIVED

TELEPHONE NO: 465-4100

FEB 10 1981

FROM: Ronald O. Skoog 
Commissioner
Department of Fish and Game

SUBJECT: Chilkat Lake
Flood Control
Project

BUDGET AND MANAGEMENT

Last summer, the Tsirku River flooded its banks and eroded a secondary channel that allows heavily silt-laden water to flow into Chilkat Lake at a point about 10 miles northwest of Haines. This eroded channel flooded, and made unusable, an ADF&G weir cabin. More seriously, however, is the fact that the silt from the Tsirku River is now being deposited onto the rich coho and sockeye salmon spawning and rearing areas of Chilkat Lake, and continued silt deposition seriously threatens the salmon production of the Lake.

As soon as the Department became aware of the problem, we initiated studies, recently concluded. The results indicate that the problem can be solved by building a crib dam, in the eroded channel, at a point about 600 feet downstream from where the Tsirku bank was breached. A dam at this point would create a 600 foot buffer pool, protecting the dam, while channeling flood water back into the main channel of the Tsirku. ADF&G engineers estimate that the dam can be built for about \$100,000 if local materials (sand, gravel, rock, and logs) are used and the construction is done by contractors from the Haines area. If the dam is to be constructed this year -- and this year's construction is highly desirable -- it will have to be accomplished by April 1, prior to the expected time of the high spring runoff. If construction is not accomplished during March, then the next possible construction date is after November 1, because of high water levels. Enclosed are two sketches which show the general nature of the work to be accomplished.

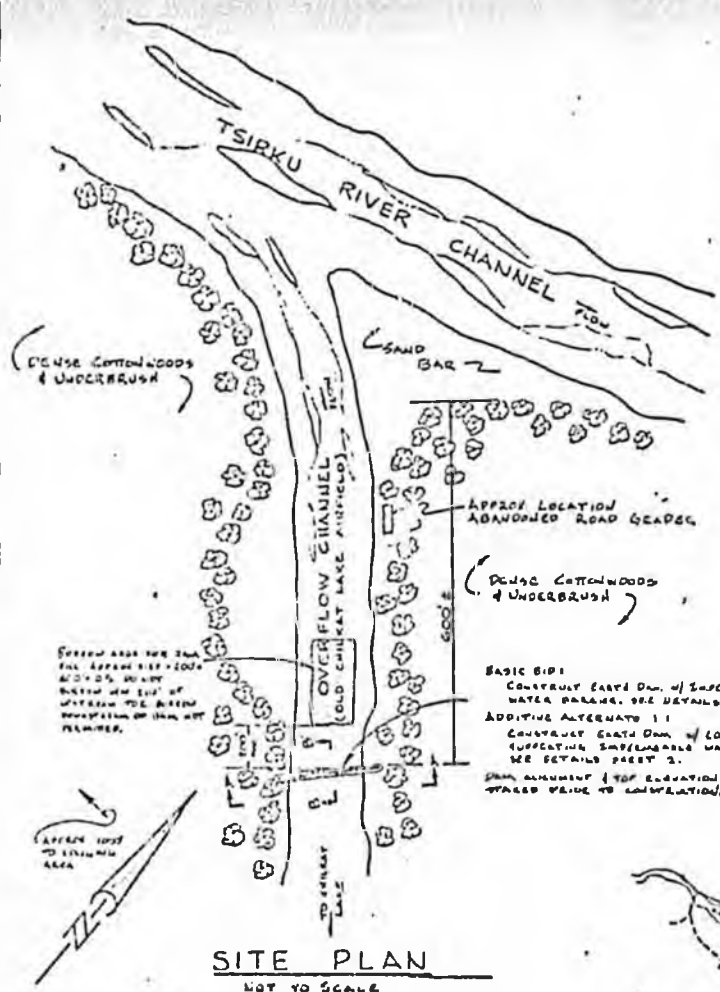
ADF&G has nearly completed the construction documents for the dam, has applied for the necessary permits, and has requested funding, through Budget and Management, by means of a supplemental request to the FY 81 budget. However, we have been advised by Budget and Management that such funding probably could not be obtained in time to award a construction contract this spring. Therefore, ADF&G is requesting that \$100,000 from the Governor's Contingency Fund be appropriated for this high priority project.

The construction plans and approved permits should be completed within two weeks. Securing a construction contractor may take another two weeks. Actual construction should require no more than two weeks. We can make it -- provided the spring thaws are not too early -- but time is short!

If you have any questions concerning this project, please contact the Director of FRED, Bob Roys, at 465-4160.

Enclosures

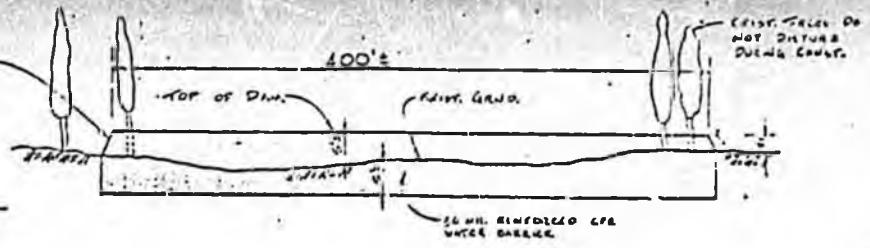
cc: Bob Roys



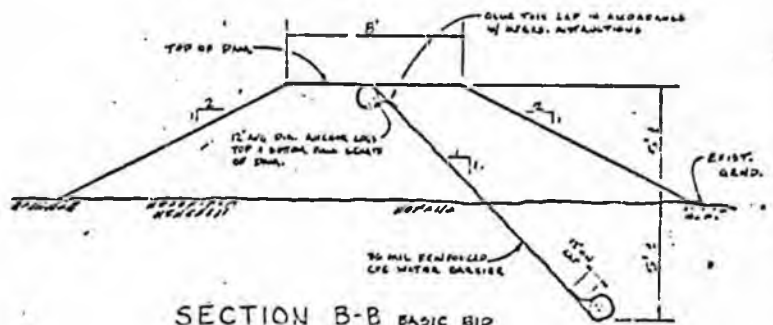
APPROXIMATE QUANTITIES

BASIC BID	
EARTH FILL	1500 CF
STEEL GALV. PIPE	700 LF
CPE WATERBARRIER	8000 SF
STEEL WIRE ROPE	11000 LB
ADDITIONAL W/ ADD. ALT. 1	
STEEL GALV. PIPE	400 LF
STEEL GALV. PIPE	45000 SF
1/2" WIRE ROPE	4000 LF
1/2" WIRE ROPE	800 LF
SADDLE WEIRS	64 EA
STAPLES	400 LB
SPICES	400 LB
WIRE STRAPS	21 EA

THESE QUANTITIES ARE PRESENTED FOR GENERAL INFORMATION ONLY. ADF&G ASSUMES NO RESPONSIBILITY FOR THEIR ACCURACY.



SECTION A-A BASIC BID



SECTION B-B BASIC BID

BASIC BID:
CONSTRUCT EARTH DAM W/ SUPERSEALABLE WATER BARRIER. SEE DETAILS SHEET 1.

ADDITIONAL ALTERNATE 1:
CONSTRUCT EARTH DAM W/ LOG STRUCTURE SUPPORTING SUPERSEALABLE WATER BARRIER. SEE DETAILS SHEET 2.

DAM ALIGNMENT & TOP ELEVATION MAY BE FIELD TRACED PRIOR TO CONSTRUCTION.

GENERAL NOTES:

1. ALL MATERIALS FOR THE DAM SHALL BE OF THE BEST QUALITY AVAILABLE AT THE TIME OF CONSTRUCTION. ALL FILL & REINFORCING SHALL BE AS SPECIFIED IN ALL PARTS OF DRAWINGS. ALL MATERIALS SHALL BE PLACED WITH CONSTRUCTION EQUIPMENT. UNACCEPTED SHALL BE TO THE SATISFACTION OF THE PROJECT INSPECTOR.
2. THE WATER BARRIER SHALL BE 36 MIL. REINFORCED SUPERSEALABLE POLYETHYLENE (CPE) AVAILABLE FROM INTERNATIONAL SALES, BOX 9, LAWRENCE, VT. 05460. (100) 441-1000. ALL STAPLES & WIRE SHALL BE USED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. ALL TIE-INS & PULLERS SHALL BE SPACED PRIOR TO POURING CONCRETE.
3. LOGS MAY BE OBTAINED ADJACENT TO THE PROJECT AT NO COST UP TO THE CONTRACTOR. LOGS MUST BE 20 IN. OF THE OVERFLOW CHANNEL. IT IS NOT PERMITTED TO DISPOSED LOGS IN AREAS NOT AS SPECIFIED. LOGS TO THE CHANNEL AREA SHALL BE FROM DOWNSTREAM OF THE DAM. LOGS SHALL BE CONTINUOUSLY TO BE CUT AND ALL LOGS SHALL BE HELD IN PLACE UNTIL THE DAM IS COMPLETE. LOGS SHALL BE HELD IN PLACE UNTIL THE DAM IS COMPLETE.
4. ALL LOGS MUST BE 6000 IMPERIAL POUND WEIGHT OF FIVE GROSS OR AN APPROVED EQUAL.



CAUTION
THE TSIRKU RIVER IS SUBJECT TO EXTREME FLUCTUATIONS IN FLOW. HIGH WATER CONDITIONS COULD MAKE EXECUTION OF THE WORK IMPOSSIBLE & HAZARDOUS.

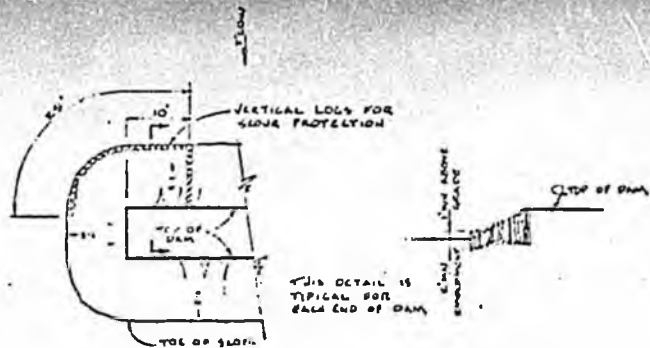
REVISED 11-8-80

ALASKA DEPARTMENT OF FISH AND GAME

FLOOD CONTROL DAM

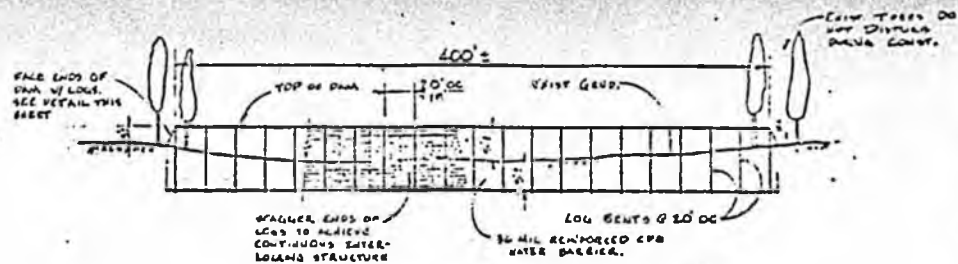
CHUKIAT LAKE AREA, KLUKWAN, AK

DATE	11/8/80	SCALE	1" = 1" 1/2"
BY	AKL	DATE	11/8/80



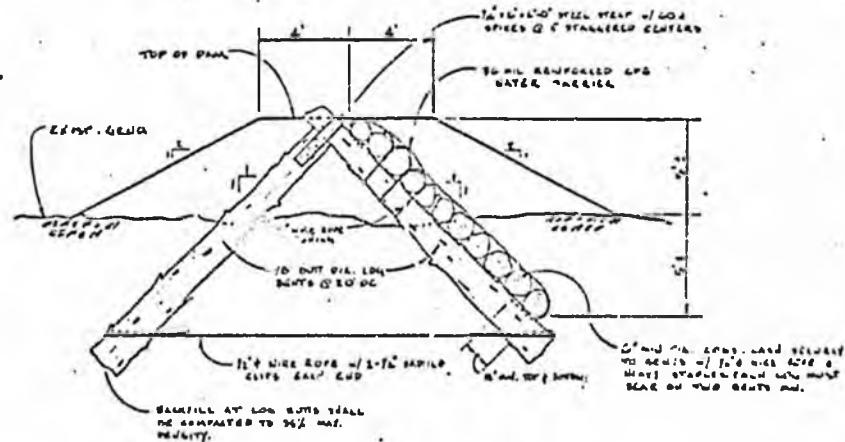
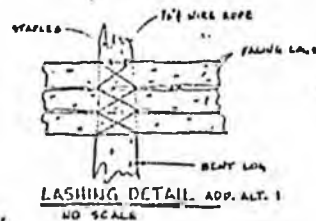
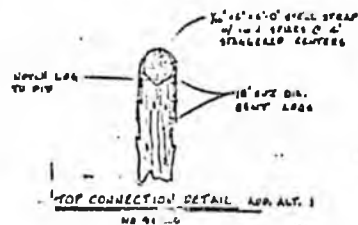
PLAN
SECTION
SCOUR PROTECTION DETAIL BASIC BID 4 ADD. ALT. 1

1/8" = 10'



SECTION A-A ADDITIVE ALTERNATE 1

HORIZ 1" = 40'
VERT 1" = 10'



SECTION B-B ADDITIVE ALTERNATE 1

3/8" = 1'-0"

ALASKA DEPARTMENT OF FISH AND GAME			
FLOOD CONTROL DAM			
NO.	DATE	BY	CHKD.
274	JV		

MEMORANDUM

State of Alaska

RECEIVED

FEB 2 1981

BUDGET AND MANAGEMENT

TO: Ron Lehr, Director
Division of Budget and Management
Office of the Governor

DATE: February 2, 1981

FILE NO

TELEPHONE NO: 465-4100

FROM: Ronald O. Skoog *[Signature]*
Commissioner
Department of Fish and Game

SUBJECT: C.I.P. Budget
Requests

It has recently come to my attention that this Department has certain needs for C.I.P. monies which were not expressed in our FY 82 request. Two such projects are described below. In addition, a recent environmental disruption requires immediate response via a supplemental C.I.P. appropriation. That project is also described below.

Russell Creek Hatchery: Remedial construction, \$3,709.0, FY 82 C.I.P. Improper design has resulted severe restrictions in the production capabilities of this new hatchery. The Attorney General's office is gathering information relative to the determination of legal responsibility for the water problems we have there that result in a need for continuous short term maintenance by the hatchery crew.

My Anchorage staff, which is providing the Attorney General's office with depositions relative to the design related deficiencies of the Russell Creek Hatchery, inform me that the Department of Transportation and Public Facilities supports the attainment of FY 82 funds as a demonstration of our need for remedial construction at Russell Creek.

The cost breakdown for the Russell Creek remedial project is as follows:

Surface water intake	603.0
Flood bypass channel	463.0
Adult holding and spawning	545.0
Fish weir improvements	22.0
Auxiliary generator room	7.0
Subtotal	1,640.0
Contractor's mobilization	360.0
Inflation: 1979-1981 @ 12%	420.0
Design fees	400.0
Administration and inspection	250.0
Contingencies	400.0
Total	\$3,700.0

Newhalen River (Bristol Bay): Study and possible removal of a velocity barrier to sockeye salmon, \$64.0, FY 82 C.I.P. The Newhalen River connects Lake Iliamna to Lake Clark, which is a major sockeye salmon spawning area. In 1980, about 2,000,000 sockeyes were prevented from reaching those spawning grounds because high water in the Newhalen River resulted in a velocity barrier to salmon. This is a phenomenon which occurs periodically, and which should be alleviated if possible.

The FRED Division proposes to complete biological, engineering, and fish passage design work which will assess the conditions which result in a velocity barrier and the measures to be taken in overcoming this barrier.

The cost breakdown for a Newhalen River project is:

Engineering field studies	21.8
Analysis of barrier effects and environmental assessment	30.6
Design of alternative fish passage facilities	11.6
Total	<u>\$64.0</u>

Chilkat Lake
2051102

Chilkat Lake: Restoration of the lake's integrity following encroachment by the glacial, Tsirku River. \$100.0, supplemental C.I.P. Last fall, the Tsirku River, which is a major glacial, braided river near Haines, eroded its banks and broke through into an old channel. This channel is routing glacial water to non-glacial Chilkat Lake, which supports important numbers of rearing sockeye and coho salmon.

The commercial and sport fisheries of Lynn Canal are important to the economy and recreation of Northern Southeast Alaska. Chilkat Lake is an important rearing area for Upper Lynn Canal salmon. The inundation of that lake with glacial water of the Tsirku River will result in a drastic decline in production of salmon for the entire sport, troll, seine, and gillnet fisheries of Icy Strait, the Juneau area and Lynn Canal. Additionally, glacial water entering the Chilkat Lake outlet prevents operation of the Commercial Fisheries Division salmon enumeration weir which forms an important element of the Lynn Canal gillnet fisheries management program.

The Tsirku River declines to low flood stage during late winter and early spring, at which time members of our Commercial Fisheries Division can ford the river with 6-wheel-drive vehicles to supply their smolt and adult salmon weir at the outlet of Chilkat Lake. If we are to dam the old channel now utilized by the Tsirku River and prevent further degradation of Chilkat Lake as a salmon rearing environment, we should do it in the spring!

The cost of the Tsirku River - Chilkat Lake projects is as follows:

Materials, including logs purchased from the Schnabel mill	33.7
Excavation and fill	17.0
Development of log dam	17.2
Contractor's overhead and profit	9.9
Contingencies	7.4
Inflation	7.4
Administration and inspection	7.4
Total	<u>\$100.0</u>


I appreciate your support for these recently identified projects.

MEMORANDUM


State of Alaska

TO: Senator Fahrenkamp

DATE: April 10, 1981

THRU: Jerry Reinwand 

FILE NO:

FROM: 
Jeff Haynes
Deputy Commissioner
Department of Natural Resources

TELEPHONE NO:

SUBJECT: Supplemental Appropriation
for Alaska Lands Bill

The purpose of this memorandum is to request FY '81 Supplemental funding for the Department of Natural Resources' new responsibilities as a result of the Alaska Lands Bill. It is my understanding SB 267 will provide the vehicle for this funding request.

The Governor's budget request for FY '81 Supplemental funding for the Department of Natural Resources totalled \$619.8. It includes proposed expenditures for eight projects as follows:

Chugach Region Study	\$ 55.3
Bristol Bay Cooperative Study	\$112.2
North Slope Oil & Gas Study	\$ 26.0
Native Allotment Review	\$160.0
ANSCA Land Review	\$ 14.0
Navigability/Submerged Lands Defense	\$184.5
Map Production/Status Plat Update	\$ 55.0
Additional Administrative Support	\$ 7.9

One assumption used in preparing this supplemental request was that funds would be available on April 1st. As this assumption obviously proved to be optimistic, significant reductions may be made by changing that assumption to May 1st. Further, given the shorter time remaining in the current fiscal year, we can reasonably defer the creation of most positions until July 1st.

Therefore, the Supplemental request we feel it critical to include in SB 267 is:

Chugach Study \$ 55.3

The Chugach Study which examines the impact of Chugach Native Selections in Prince William Sound has already begun and will continue until November 1981. Without this funding, the State would be forced to drop out as a participant. These funds are for travel and contractual services. No new positions will be created.

Bristol Bay Study

\$ 58.0

Bristol Bay was designated as a Cooperative Federal/State/local planning region in the lands bill. The study includes/examination of possible changes in land status and the preparation of land use plans prior to the scheduled oil and gas lease sales. This study resulted from the Governor's insistence that the State play a strong role in future management of Bristol Bay. One position would be created to lead the project supplemental by contractual funds. The balance of the FY '81 work can be shifted to FY '82.

North Slope Oil & Gas Study

\$ 26.0

These are three oil and gas studies in the bill leading to additional leasing on federal lands in Alaska. This will allow the Division of Minerals & Energy Management and the Division of Geologic & Geophysical Surveys to participate in the planning for these sales. Two geologist positions would be created.

Native Allotment Review

\$100.0

Approximately 4,000 Native Allotments will be approved on June 2, 1981 under terms of the Alaska Lands Bill which may potentially impede access to State lands or possess mineral values. The Department is working with ELM to try to review each of these allotments and to file protests where applicable to prevent "instant conveyance." These funds are for contractual services to prepare maps, review case files, and write protests.

ANSCA Land Review

\$ 0

Defer until FY '82.

Navigability/Submerged Land Defense

\$100.0

This very important project constitutes the largest component of the Department's request for FY '82. Approximately 6,000,000 acres of navigable river and lake beds are at stake which are valuable for mineral potential, oil and gas potential, and acres for sport hunting and fishing. A five year statute of limitations in the lands bill terminates the State's right to appeal adverse navigability determinations in 1986. Where water bodies are determined to be navigable, the State receives title to the water bodies under the Submerged Lands Act of 1953. These funds will be used to gather hydrologic and historical data in three regions - Bristol Bay, Arctic Slope, and the Upper Yukon. No new positions will be created in FY '81. As this project does not have an immediate deadline, we can defer additional action until July 1st. We strongly urge careful consideration of our FY '82 budget amendment by the Resources Committee.

Map Production/Land Status

\$ 55.0

This is a one time request to prepare maps showing new conservation unit boundaries, working maps for Native Corporation amendments, and update of department Status plats. These are all contractual funds.

Administrative Support

\$ 5.0

To provide clerical assistance to the department to prevent these projects from superseding DNR's currently approved work program. No new permanent position will be created with these funds.

TOTAL FY 81 SUPPLEMENTAL

\$399.3

STATE OF ALASKA

OFFICE OF THE GOVERNOR

BUDGET & MANAGEMENT

JAY S. HAMMOND, GOVERNOR

POUCH AM — JUNEAU 99811
PHONE 465-2213

March 25, 1981

The Honorable Don Bennet and Ed Dankworth
Co-Chairmen, Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Amendment to S.B. 267
\$805,600 GF for D-2 implementation
in five Departments

Dear Senators Bennett and Dankworth:

Please revise S.B. 267 to appropriate \$805,600 general funds for State Activities related to implementation of the Alaska National Interest Lands Conservation Act. Please add five (5) new sections to S.B. 267 to read as follows:

1. The sum of \$31,300 is appropriated from the general fund to the Office of the Governor, Division of Policy Development and Planning, for D-2 implementation activities.
2. The sum of \$62,700 is appropriated from the general fund to the Department of Law for D-2 implementation activities.
3. The sum of \$614,900 is appropriated from the general fund to the Department of Natural Resources for D-2 implementation activities.
4. The sum of \$46,700 is appropriated from the general fund to the Department of Public Safety for D-2 implementation activities.
5. The sum of \$50,000 is appropriated from the general fund to the Department of Transportation and Public Facilities for D-2 implementation activities.

This supplemental request is being submitted as an amendment to an existing bill in order to speed consideration. The request is fully documented and justified in the D-2 implementation budget being submitted under separate cover.

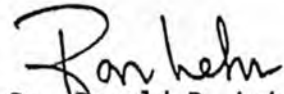
Bennett and Dankworth
Senate Finance Committee

--2--

March 25, 1981

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Ron Lehr".

Dr. Ronald D. Lehr
Director

CC: The Honorable Bettye Fahrenkamp
Chairman, Senate Resources Committee
The Honorable Sam Cotten
Chairman, House Finance Committee
Jay Hogan
Keith Specking

Alaska State Legislature

BETTYE FAHRENKAMP, CHAIRMAN
VIC FISCHER, VICE-CHAIRMAN
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POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

MEMORANDUM

TO: SENATE RESOURCES COMMITTEE MEMBERS

FROM: JIM PALMER
SENATE RESOURCES COMMITTEE STAFF

RE: SINGLE SUBJECT RULE AND SB 267

DATE: APRIL 13, 1981

The Chairman asked that I research whether or not SB 267 (which makes two distinct appropriations for different purposes) violates the single subject rule. Before the research could begin, Joe LaRocca brought to my attention Section 13 of the Alaska Constitution which states:

"Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising or rearranging existing laws. Bills for appropriations shall be confined to appropriations."

It appears that Section 13 allows two distinct appropriations to be contained in the same piece of legislation.